

POSTED
8/22/19

cc: Supervisor office
Code office
Town Clerk

RESOLUTION 19-120

**RESOLUTION GRANTING A WAIVER FROM THE REQUIREMENTS OF THE
TOWN OF LANSING LAND USE ORDINANCE
PLANNED DEVELOPMENT AREA NO. 1
(VILLAGE CIRCLE - VILLAGE SOLARS) §1610 (17)**

The following Resolution was duly presented for consideration by the Town Board:

WHEREAS, Planned Development Area No. 1 was established by Local Law No. 1 of 2013, passed by Town Board Resolution 13-78 on April 17, 2013, which added §1610 (12) to the Town of Lansing Land Use Ordinance and required completion of the Community Center Building within five (5) years of the date of adoption of the Local Law; and

WHEREAS, Planned Development Area No. 1 was amended by Local Law 6 of 2017 (Town of Lansing Land Use Ordinance §1610 (12)(a)) and required that the Community Center Building shall be substantially completed by December 31, 2020 and, until substantially complete, only 3 of the 5 building permits for major or large buildings demarcated in Phase 4 (Buildings #36, #117, K, L and M) shall issue, and the remaining 2 building permits shall not be issued until the certificate of occupancy is issued for the Community Center Building; and

WHEREAS, on July 12, 2019 the Town of Lansing received a request for Waiver from Lawrence P. Fabbroni, P.E., Village Solars Project Engineer, under the provisions of §1610 (17) of Local Law 6 of 2017, to delay substantial completion of the Community Center until December 31, 2021; and

WHEREAS, the Town Board reviewed the request for Waiver at their regular meeting on July 17, 2019 and referred the matter to the Planning Board;

WHEREAS, a Motion from the Planning Board recommending the Town Board to Extend the Completion Date of the Village Solars Community Center to December 31, 2021 was passed on July 22, 2019; and

WHEREAS, Local Law 6 of 2017 requires that the Town Board consider the request for Waiver under Town of Lansing Land Use Ordinance §1610 (17)(a)-(d); and

WHEREAS, upon deliberation there upon, the Town Board of the Town of Lansing has hereby

RESOLVED, a Waiver granting an extension of the Completion Date of the Village Solars Community Center to December 31, 2021 subject to the following conditions:

1. Village Solars Buildings 2, 22 and 117 will only receive building permits after the completion of the Community Center.
2. Receipt of all Stormwater Pollution Prevention Plan (SWPPP) Inspection Reports for Village Solars, LLC (SWPPP NYR10Y129).

3. A complete copy of the SWPPP NYR10Y129, including copies of all inspection reports and plan revisions, must be retained at the project at all times during working hours.

The question of the adoption of such proposed Resolution was duly motioned by Councilperson Doug Dake, duly seconded by Councilperson Katrina Binkewicz, and put to a roll call vote with the following results:

Councilperson Katrina Binkewicz – Aye
Councilperson Joseph Wetmore – Nay

Councilperson Doug Dake - Aye
Supervisor Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on August 21, 2019.